

#15-10

**AN ORDINANCE OF THE TOWNSHIP OF NORTH BRUNSWICK AMENDING
AND SUPPLEMENTING CHAPTER 147 "CONSTRUCTION CODE; UNIFORM"
TO ADD A NEW SECTION 147-2 ENTITLED "CERTIFICATES OF OCCUPANCY
AND CERTIFICATES OF CONTINUED OCCUPANCY"
AND TO RE-CODIFY THE REMAINING SECTIONS**

BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that Chapter 147 "Construction Codes; Uniform" is hereby amended to add a new Section 147-2 entitled Certificates of Occupancy and Certificates of Continued Occupancy," and to re-codify the remaining sections, as follows:

§ 147-2 Certificates of Occupancy and Certificates of Continued Occupancy:

A. Certificate of Occupancy

Pursuant to the provisions of §205-138B of the Code of the Township of North Brunswick, a Certificate of Occupancy is required as a precondition for the occupancy of any new building, structure, or land and must be issued by the Construction Official with the approval given by the Zoning Officer. In addition, the Fire Marshall shall issue a Fire Certificate of Compliance Permit for all new non-residential uses other than one and two family homes

B. Certificate of Continued Occupancy Required.

1. A Certificate of Continued Occupancy is the document issued by the Township of North Brunswick upon the determination that a dwelling is fit for human habitation in accordance with the provisions of Ordinances of the Township of North Brunswick, and the Rules, Regulations and Laws of the State of New Jersey, including but not limited to the compliance with the Uniform Fire Safety App. (N.J.S.A. 52:27D-192, et seq).
2. No owner, agent or broker shall sell, transfer or grant with right of occupancy, whether or not for consideration, any dwelling, unit or premises on which a building is located and used for human occupancy, unless a certificate of continued occupancy is first obtained from the Construction Code Official by use of the appropriate application and fees provided herein.

C. Temporary Certificate of Continued Occupancy.

1. The Construction Code Official may issue a Temporary Certificate of Continued Occupancy. The Construction Code Official may issue a Temporary Certificate of Continued Occupancy in appropriate cases and may, in such instances, grant up to ninety (90) days to correct violations as revealed by inspection of the premises. Such Temporary Certificate of

Occupancy shall list clearly on the face thereof all violations and the time within which they must be corrected. Upon the expiration of the time granted to correct the violations noted, the Construction Code Official shall re-inspect the premises. Failure to correct such violations within the time specified on the Temporary Certificate of Continued Occupancy shall constitute a violation of this section.

2. The fee for Temporary Certificate of Continued Occupancy shall be the same as for the Permanent Certificate of Continued Occupancy and shall be payable to the Township of North Brunswick. Upon satisfaction of the required conditions, a permanent Certificate of Continued Occupancy shall be issued following re-inspection.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

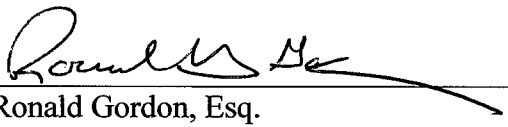
BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known and may be cited as the Ordinance amending and supplementing Chapter 147 "Construction Code; Uniform to establish §147-2 Certificates of Occupancy and Certificates of Continued Occupancy" and to re-codify the remaining sections.

Michael C. Hritz
Director of Community Development

Robert Lombard
Business Administrator



Ronald Gordon, Esq.
Township Attorney (Approved legal form)